

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MORGAN L. PERKHISER,

Defendant.

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

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INDICTMENT

18 U.S.C. § 1343

The Grand Jury Charges:

COUNTS I - V
(WIRE FRAUD)

At all times material herein:

INTRODUCTION

1. D. Thompson Realty is a business located in Omaha, Nebraska, engaged in the business of real estate.
2. Between December 2015 and December 2018, D. Thompson Realty had multiple bank accounts at Great Western Bank, which is located in the State of Nebraska.
3. Defendant, MORGAN L. PERKHISER, resided in Omaha, Nebraska, and was employed by D. Thompson Realty as a junior office manager and bookkeeper. While employed by D. Thompson Realty, Defendant had access to D. Thompson Realty bank accounts, checks, and other financial documents. Defendant was authorized to write and sign checks issued from the D. Thompson Realty bank accounts for certain approved business-related purposes.

4. Between on or about December 2015 and December 2018, defendant had multiple bank accounts at First Tech Federal Credit Union, which is located in the State of Oregon. First Tech Federal Credit Union does not operate in the State of Nebraska.

5. From on or about December 2015, and continuing through at least on or about December 2018, the defendant did devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, which scheme and artifice to defraud is more fully described as follows:

THE SCHEME AND ARTIFICE TO DEFRAUD

6. On or before December 2015, defendant, through her employment as a junior office manager and bookkeeper, obtained D. Thompson Realty bank account information at Great Western Bank. Defendant, through her employment as a junior office manager and bookkeeper, also had access to D. Thompson Realty bank accounts, checks, and other financial documents.

7. From on or about December 2015, and continuing through at least on or about December 2018, defendant transmitted, or caused to be transmitted, unauthorized checks written and negotiated from D. Thompson Realty bank accounts at Great Western Bank to defendant's bank accounts at First Tech Federal Credit Union, as well as an account held by her husband, J.P., at UMB Bank, which is located in the State of Nebraska. The checks written by defendant exceeded the defendant's authority, were not authorized by D. Thompson Realty, and were not related to certain approved business-related purposes.

8. Defendant would typically write an unauthorized check from D. Thompson Realty bank accounts at Great Western Bank made payable to herself or her husband, J.P.

Unauthorized checks made payable to the defendant were typically deposited by way of a mobile application to defendant's bank accounts at First Tech Federal Credit Union. To deposit each unauthorized check, defendant would take a digital picture of the front and back of the unauthorized check with her cellphone and then using a First Tech Federal Credit Union mobile application, transmit (i.e. wire) those digital images in interstate commerce from the State of Nebraska to First Tech Federal Credit Union bank servers, which are located in the State of California.

9. Once the image of an unauthorized check was wired by defendant from the State of Nebraska to First Tech Federal Credit Union, the fraudulently obtained funds would be electronically transferred (i.e. wired) in interstate commerce from Great Western Bank servers, which are located in the State of South Dakota, to First Tech Federal Credit Union servers, located in the State of California. Once the funds were credited to defendant's bank accounts at First Tech Federal Credit Union, defendant would then use the funds through the use of a debit card or ATM in the State of Nebraska.

10. Defendant accomplished this scheme by means of materially false and fraudulent pretenses, representations, and promises. Checks written and signed by defendant, which defendant implicitly represented were legitimately issued, were presented to financial institutions. Financial institutions relied upon the implicit representations of defendant that the written and signed checks were authorized and legitimate. In fact, as defendant well knew, the checks written and signed by defendant were not authorized or legitimately issued as payment to defendant for approved business-related purpose. On certain checks written to J.P., defendant would fraudulently represent on the checks that payment was for legitimate business purpose. In fact, as defendant well knew, certain checks written to J.P. did not relate to any

legitimate business purpose and were not authorized. To further the scheme, Defendant concealed the unauthorized checks from her employer, D. Thompson Realty.

11. From on or about December 2015, and continuing through at least on or about December 2018, defendant wrote J.P. approximately 25 unauthorized checks that were negotiated from D. Thompson Realty bank accounts at Great Western Bank, to an account held by J.P. at UMB Bank, which totaled approximately \$44,146.

12. From on or about December 2015, and continuing through at least on or about December 2018, defendant wrote herself approximately 165 unauthorized checks that were negotiated from D. Thompson Realty bank accounts at Great Western Bank and deposited into defendant's bank accounts at First Tech Federal Credit Union, which totaled approximately \$423,998.

13. From on or about December 2015, and continuing through at least on or about December 2018, defendant's bank accounts at First Tech Federal Credit Union were used to pay for defendant's personal "lifestyle" expenses, which included online shopping, food, and other entertainment.

14. From on or about December 2015, and continuing through at least on or about December 2018, defendant transmitted, or caused to be transmitted, from the District of Nebraska, and elsewhere, unauthorized checks written from D. Thompson Realty bank accounts at Great Western Bank to First Tech Federal Credit Union bank servers, which are located in the State of California, which accounts were used to pay for defendant's aforementioned personal expenses.

USE OF INTERSTATE WIRE COMMUNICATION FACILITIES

15. Interstate wire communication facilities were used in furtherance of the scheme. From on or about December 2015, and continuing through at least on or about December 2018, defendant, using her cellphone and/or wireless Internet account from inside the State of Nebraska, transmitted, or would cause to be transmitted, images of unauthorized checks written from D. Thompson Realty bank accounts at Great Western Bank to First Tech Federal Credit Union bank servers, which are located in the State of California. The transmission of unauthorized checks and wire payments from Great Western Bank to defendant's bank accounts at First Tech Federal Credit Union were electronically routed through interstate communication facilities located both inside and outside the District of Nebraska.

LOSS CAUSED BY THE FRAUD

16. As a result of the scheme to defraud, from on or about December 2015, and continuing through at least on or about December 2018, defendant wrote and negotiated unauthorized checks written from D. Thompson Realty bank accounts at Great Western Bank to defendant's bank accounts at First Tech Federal Credit Union which totaled more than \$468,144, through materially false and fraudulent pretenses, representations, and promises.

THE COUNTS

17. For the purpose of executing the above described scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, defendant did knowingly cause to be transmitted by means of wire communications in interstate commerce, certain writings, signs and signals for the purpose of executing the scheme and artifice to defraud, in that, defendant did cause the transmission of unauthorized checks and

wire payments as described below, each of the below said wire communications constituting a separate count:

Count	Date Of Wire(s)	Wire Content
I	On or about May 25, 2016	Digital image of check in the amount of \$1,942 wired from defendant's mobile device resulting in wire transfer from Great Western Bank to defendant's account at First Tech Federal Credit Union
II	On or about August 4, 2017	Digital image of check in the amount of \$3,005 wired from defendant's mobile device resulting in wire transfer from Great Western Bank to defendant's account at First Tech Federal Credit Union
III	On or about March 18, 2018	Digital image of check in the amount of \$3,741 wired from defendant's mobile device resulting in wire transfer from Great Western Bank to defendant's account at First Tech Federal Credit Union
IV	On or about September 6, 2018	Digital image of check in the amount of \$4,102 wired from defendant's mobile device resulting in wire transfer from Great Western Bank to defendant's account at First Tech Federal Credit Union
V	On or about October 5, 2018	Digital image of check in the amount of \$2,618 wired from defendant's mobile device resulting in wire transfer from Great Western Bank to defendant's account at First Tech Federal Credit Union

All in violation of Title 18, United States Code, Section 1343.

A TRUE BILL.

FOREPERSON

The United States of America requests that trial of this case be held in Omaha,
Nebraska, pursuant to the rules of this Court.



DONALD J. KLEINE, #22669
Assistant U.S. Attorney